HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P. No. 1552 of 2005

Petitioners

1. Vijay Kumar Sharma, Aged about 42 years, S/o Shri Premlal Ji Sharma, Akasmik Nidhi Peon, Government Higher Secondary School, Damdha, Block Development Damdha, Dist : Durg –(C.G.).
2. Nirpal Singh, Aged about 42 years, S/o Ledgaram, Akasmik Nidhi Peon, Government Higher Secondary School, Rani Tarai, Block Development Patan, Dist: Durg-(C.G.).
3. Chabilal Corner, Aged about 43 years, S/o Kagnuram, Akasmik Nidhi Peon, Government Higher Secondary School, Belodhi, Block Development Gundardehi, Dist: Durg-(C.G.)
4. Suniti Thakur, Aged about 43 years, W/o Shri Kirhna Gopal Thakur, Akasmik Nidhi Peon, Government Higher Secondary School, Kurshipar, Block Development Durg, Dist: Durg (C.G.)
5. Budhram Sharma, Aged about 44 years, S/o Duli Chandra Sharma, Government Higher Secondary School, Kurshipar, Block Development Durg, Dist: Durg (C.G.).
6. Sukrita Sharma, Aged about 38 years, W/o Vasudeo Sharma, Akasmik Nidhi Peon, Government Higher Secondary School, Baupara, Block Development Durg, Dist: Durg (C.G.).
7. Bolaram Yadav, Aged about 37 years, S/o Lakhanlal, Akasmik Nidhi Peon, Government Higher Secondary School, Kumhari, Block Development Patan, Dist: Durg (C.G.)
8. Shiv Kumar Yadav, Aged about 43 years, S/o Jaduram Yadav, Akasmik Nidhi Peon, Government Higher Secondary School, Kumhari, Block Development Patan, Dist: Durg (C.G.).

(63)

9. Nandkumar Sahu, Aged about 44 years, S/o Narayan Sahu, Akasmik Nidhi Peon, Government Higher Secondary School, Haldi, Block Development Gundardehi, Dist: Durg (C.G.).
10. Pawan Kumar Yadav, Aged about 45 years, S/o Mehtruram, Akasmik Nidhi Peon, Government Higher Secondary School, Rani Tarai, Block Development Patan, Dist: Durg (C.G.)

Versus

Respondents
1. State of Chhattisgarh, Through the Principal Secretary, School Education Department, D.K.S. Bhawan, Raipur – Dist : Raipur-(C.G.).
2. The Director, Education Department, Raipur, Dist : Raipur (C.G.).
3. The District Education Officer, Dist: Durg –(C.G.)

SB: Hon'ble Mr. Justice **Satish K. Agnihotri, J**

Shri Rakesh Anthony, Advocate for the petitioners.
Shri Sushil Dubey, Government Advocate for the respondents.

ORDER

(Passed on this 2nd day of April, 2007)

1. Learned counsel appearing for the petitioners submits that initially, the petitioners were appointed on the post of Peons on daily wages, at Collector's rate. Thereafter, their services were regularized with effect from 8.4.1992, 5.5.1992, 4.5.1992, 1.6.1994, 1.4.1994, 1.5.1994, 28.11.1994 and 2.12.1994 (Annexure P/1).
2. The petitioners, by way of this petition pray for a relief of grant of regular establishment, so as to entitle them for allowances and other benefits at par with other regular employees. The State Government, Personal, Administrative Reforms and Training Department (Pay Commission Cell) vide letter dated 7th July/25th September, 1989 (Annexure P/2) has directed all the Collectors to

(64)

grant benefits to all those employees, who have been regularized. Despite the instructions of the State Government the petitioners are denied the benefits of the said letter.

3. Be that as it may, the State Government/respondents is directed to look into the letter dated 7th July/25th September, 1989 (Annexure P/2) and other instructions, which might have been issued subsequently and pass appropriate order for grant of relief, if the petitioners are legally entitled to those benefits.
4. In view of the foregoing, this petition stands disposed of. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

[redacted] Thakur

[redacted]